

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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**ARACELI KING,**

**Plaintiff,**

**-against-**

**14 Civ. 2018 (AKH)**

**TIME WARNER CABLE, INC.,**

**Defendant.**

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**RULE 56.1 STATEMENT OF UNDISPUTED FACTS OF  
TIME WARNER CABLE INC.**

1. Araceli King gave her telephone number to Time Warner Cable Inc. to associate with her customer account. Declaration of Araceli King ¶

3.

2. The Time Warner Cable Residential Services Subscriber Agreement provides,

**12. You are Consenting to Phone and Email Contact**

(a) We may call any number you provide to us (or that we issue to you) for any purpose, including marketing of our Services. . . .

(c) We may use automated dialing systems or artificial or recorded voices to call you.

Time Warner Cable Residential Services Subscriber Agreement § 12(c) (**Exhibit**

A).

3. Araceli King has no physical injury, emotional injury, or financial loss. Deposition of Araceli King at 154–55 (**Exhibit 2**).

Dated: New York, New York  
July 2, 2015

s/Charles D. Cole, Jr.  
Charles D. Cole, Jr.  
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**CERTIFICATE OF SERVICE**

I certify that on July 2, 2015 the rule 56.1 statement of undisputed facts of Time Warner Cable Inc. was served on the attorney for the plaintiff,

Jenny DeFrancisco, Esq.  
Lemberg & Associates, LLC  
Attorneys for Plaintiff Araceli King  
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by filing it using CM/ECF.

s/Charles D. Cole, Jr.  
Charles D. Cole, Jr.  
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